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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S):	Mark A. Shadle, David M. Good, Andrew J. Friesch, Chauncey T. Mitchell, Jr., and Gerrit L. Verschuur	
APPLN. NO:	09/448,371	EXAMINER: J. Maples
FILED:	23 November 1999	ART UNIT: 1745
TITLE:	PRINTING ELECTROCHEMICAL CELLS WITH IN-LINE CURED ELECTROLYTE	

RESPONSE TO RESTRICTION REQUIREMENT
MAILED 29 JUNE 2001

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

ELECTION

With traverse, applicants elect the invention of Group I, claims 1-10, for prosecution in this application.

The claims of Group I along with the claims of Groups III-VI are drawn to methods for forming electrochemical cells involving in-line printing or laying down electrolyte followed by curing or otherwise transforming the electrolyte. Although there are differences among the claims between and within the groups, including independently patentable differences, these differences do not involve separate classifications or require different fields of search.

The Examiner classifies all five groups of method claims under the same general Subclass 623.1, distinguishing four of the five groups between indented Subclasses 623.4 and 623.5. Groups I and IV share the same classification in Subclass of 623.4, and Groups V and VI share the same classification in Subclass 623.5. However, the distinctions noted by the Examiner between the groups do not relate to the differences between the subclasses themselves.

For example, Subclass 623.4 involves adhesive bonding. Claims in each of the Groups I and III-VI involve adhesive bonding. Exemplary claims within each group that relate to adhesive bonding are charted below:

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Group	Claims
I*	2-4 and 10
III	12 and 15-17
IV*	22 and 24-26
V	33-34 and 36
VI	48

*classified together in Subclass 623.4

Related polymerization features are also found in all five groups of method claims (i.e., claims 1, 14, 27, 32, and 50).

Subclass 623.5 involves coating or impregnating with a layer of flowable material. Claims in each of the Groups I and III-VI involve coating or impregnating flowable material on cell substrates. Exemplary claims within each group that relate to applying flowable material are charted below:

Group	Claims
I	5 (injection printing), 6
III	18
IV	22 (transfer printable ink)
V*	30 (laying down electrolyte)
VI*	40-42 and 46

*classified together in Subclass 623.5

All of the main method claims involve coating or otherwise impregnating by virtue of steps involving printing, laying down, or injecting.

Subclass 623.1 covers a more general category of electric battery cell making which to the extent it pertains to any, it pertains to all of the claims.

Groups III and VI are said to differ from the other method Groups I, IV, and V because the former group contains reservoirs. However, Group VI is classified together with Group V in Subclass 623.5, presumably because the two groups both require the application of flowable materials, which as shown above is not unique among the method groups. Thus, the presence of reservoirs for confining electrolyte prior to curing does not in the Examiner's own assessment require a classification or search

different from another group not explicitly reciting reservoirs. Groups I and IV are said to be distinct because Group IV requires transfer printing and uses adhesive to bond the two web layers together. Both groups are classified together in Subclass 623.4, presumably because they both involve adhesive bonding. Again, the noted differences according to the Examiner's own assessment do not warrant different classification or search. Transfer printing, which involves printing ink from patterns on press, is well within the Subclass 623.5 involving coating or impregnating under which both Groups I and IV should also be classified.

Thus, the distinctions between groups identified by the Examiner do not support the differences between the initial classification of the groups, and the groups themselves overlap all three initial classifications. The examination of any one of the groups, including the elected Group I, requires a search in all three subclasses. To focus the examination more narrowly would not give adequate consideration to the scope of claims in Group I or in any of the other similar groupings of method claims. The repeated prosecution of subject matter sharing the same classification and status in the art would place an undue burden upon the applicants. Accordingly, the Examiner is asked to reconsider the restriction requirement with respect to Groups I and III-VI as lacking adequate reasons for insisting upon the restriction.

For any question on this or the application, the Examiner is invited to call applicants' representative at the number listed below.

Respectfully submitted,
EUGENE STEPHENS & ASSOCIATES


Thomas B. Ryan, Reg. No. 31,659
Agent for Applicant(s)
56 Windsor Street
Rochester, New York 14605
Phone: (716) 232-7700
Facsimile: (716) 232-7188

TBR:cba

Dated: JUL 24 2001

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited on the date shown below with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C., 20231.

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